

April 1, 2002

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

**MOTION TO SUPPORT AB 2214 -- LOW-LEVEL RADIOACTIVE WASTE DISPOSAL
(ITEM NO. 13, AGENDA OF APRIL 2, 2002)**

Item No. 13 on the April 2, 2002 Agenda is a motion by Supervisor Yaroslavsky that the Board of Supervisors send a letter of support for AB 2214 (Keeley) to the members of the County legislative delegation in Sacramento, and direct the County's legislative representatives to support the bill.

In 1987, California, Arizona, North Dakota and South Dakota entered into the Southwestern Low-Level Radioactive Waste Disposal Compact, with California agreeing to host a disposal facility for the first thirty years. Ward Valley, in eastern San Bernardino County, was selected as the site. AB 2214 prohibits the use of the Ward Valley site for disposal of low-level radioactive waste and it establishes a number of design criteria for any site that is to be licensed by the State Department of Health Services for that purpose. These criteria include storage above ground, in labeled containers that should not leak, but that can be easily inspected for leakage. It further provides for repackaging any materials held in deteriorated containers, as well as for cleaning up any spills.

The bill notes that, of the seven sites in the United States, where similar waste is buried in the manner that was planned for Ward Valley, six have had radioactive materials migrate from the site. At one site, the problem is severe enough for it to have become a "Superfund Clean-up Site". On April 23, 1996, the Board of Supervisors approved a motion expressing

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opposition to the use of the Ward Valley site for low-level radioactive waste disposal. As the Board was concerned about the potential for contamination of the County's water supply, it also recommended alternative disposal strategies, similar to those now included in AB 2214.

The bill has been scheduled for hearing in the Assembly Committee on Environmental Safety and Toxic Materials on April 9, 2002.

According to the author's office, there are ten organizations known to support this bill, including the Sierra Club, the Planning and Conservation League, and the Southern California Federation of Scientists. The Cal Rad Forum, which represents the generators of radioactive waste, is the only organization that has indicated its opposition.

The Departments of Health Services and Public Works are researching the potential impact of AB 2214 on their operations, and are unable to recommend a County position at this time.

The motion is consistent with the position adopted by the Board in 1996; however, the County's State Legislative Agenda does not include any policies that relate to the provisions of this bill. Therefore, a position on the bill is a matter of Board policy determination.

DEJ:GK
DRS:md

c: Executive Officer, Board of Supervisors
County Counsel
Legislative Strategist